

# AGENDA

TOWN OF SOUTH KINGSTOWN

RHODE ISLAND



TOWN COUNCIL

REGULAR SESSION

7:30 PM

TOWN COUNCIL CHAMBERS  
180 HIGH STREET  
WAKEFIELD, RI

MONDAY, JANUARY 27, 2014

**NOTE:** Individuals requesting interpreter services for the deaf or hard of hearing must call 792-9642 (TDD) or 789-9331 seventy-two (72) hours in advance of the meeting date.

DATE POSTED: 1/23/2014

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1.     **A.     INTERVIEWS – 6:30 PM**  
  
       **B.     WORK SESSION – 6:45 PM**  
          All items listed on Town Council agenda are subject to discussion.  
  
       **C.     REGULAR SESSION – 7:30 PM**
2.     **PLEDGE OF ALLEGIANCE TO THE FLAG**
3.     **ROLL CALL**
4.     **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**  
  
       **A.     Work Sessions – January 8 and January 13, 2014**  
  
       **B.     Regular Sessions – December 18, 2013 and January 13, 2014**

**5.     **CONSENT AGENDA****

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- I.     Rule 10A. for the conduct of the meetings of the South Kingstown Town Council for the Term 2012 through 2014: Members of the public shall be entitled to speak at regular meetings during any period designated on the agenda for public comment, once, for a period of five minutes, or longer at the discretion of the President, and at other times when invited to do so by the President. The public shall address their comments to the question under debate as indicated on the agenda. Pursuant to RI General Laws §42-46-6(b), public comment regarding subject matter not on the agenda but received during the public participation portion of a meeting shall be for information purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.
- II.    Rule 11: No item of business other than that of adjournment may be brought before the Town Council at any meeting unless such an item is introduced before 11:00 PM; provided, however, that this rule may be suspended by an affirmative vote of a majority of members present.
- III.   Rule 13: All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”

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**6. LICENSES**

- A.** A resolution granting a Victualling License to OCEAN STATE FIVE III, LLC d/b/a FIVE GUYS BURGERS & FRIES, 600 Kingstown Road, Wakefield, RI 02879 subject to issuance of a Certificate of Occupancy. Application by Eugene Prentice, 100 Cummings Center, 311J, Beverly, MA 01915; New.
- (CA) B.** A resolution granting a Victualling License to PASTA VILLA LLC, 28 Old Tower Hill Road, Wakefield, RI 02879. Application by John Russo, 168 Seaside Drive, Jamestown, RI 02835; Renewal.
- (CA) C.** A resolution granting a Holiday Sales License to THRIFTY SISTER, 1183 Kingstown Road, Peace Dale, RI 02879 subject to approval by the Fire Chief and Communications Superintendent. Application by Therese Martin, 45 Mosen Drive, Charlestown, RI 02813; Renewal.
- (CA) D.** A resolution granting an Automobile Junkyard License to SHERMAN'S AUTO PARTS, 379 Curtis Corner Road, Peace Dale, RI 02879. Application by Warren Sherman, 6 President Drive, Narragansett, RI 02882; Renewal.
- (CA) E.** A resolution granting a Miscellaneous Permit to conduct the "Beat the Chill, Climb the Hill" 5K Road Race on Saturday, March 1, 2014 at 11 a.m. to MONSIGNOR CLARKE SCHOOL subject to the execution of a hold harmless agreement indemnifying the Town, issuance of a Certificate of Insurance naming the Town as an additional insured in the amounts specified by the Risk Manager, and approval by the Town's Transportation and Traffic Review Committee and RIDOT. Application by Karen Swoboda, Principal, 5074 Tower Hill Road, Wakefield, RI 02879; Renewal.
- (CA) F.** A resolution granting a Miscellaneous Permit to conduct the "Crazy Coyote Chase" 5K Road Race and 1 Mile Fun Run on Saturday, April 5, 2014 at 9:00 a.m. to BROAD ROCK MIDDLE SCHOOL PTO subject to the execution of a hold harmless agreement indemnifying the Town, issuance of a Certificate of Insurance naming the Town as an additional insured in the amounts specified by the Risk Manager, and approval by the Town's Transportation and Traffic Review Committee and RIDOT. Application by Molly Rodriguez, Race Director, 351 Broad Rock Road, Wakefield, RI 02879; Renewal.

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**7. PUBLIC HEARING**

- A.** A Public Hearing relative to the proposed FY 2014-2015 to FY 2019-2020 Capital Improvement Program, as shown on Exhibit 1 attached hereto.

**8. COMMUNICATIONS**

- (CA) A.** A resolution adopted January 6, 2014 by the Exeter Town Council in support of safety improvements to the Newport Pell Bridge is received and placed on file. (1/16/2014 Interim, Item F.)
- B.** A communication dated January 22, 2014 from Andrée J. Rathemacher submitting her resignation from the Library Board of Trustees is received, placed on file, and the Town Council further directs \_\_\_\_\_. (1/23/2014 Miscellaneous, Item II D.)
- (CA) C.** Any communication added to the Agenda subsequent to this is hereby added by majority vote, in accordance with RIGL §42-46-6 (b) Notice --... “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”

**9. COMMENTS FROM INTERESTED CITIZENS**

**10. TOWN MANAGER’S REPORT**

**11. TOWN SOLICITOR’S REPORT**

**12. APPOINTMENTS**

- A.** A resolution appointing \_\_\_\_\_ to the \_\_\_\_\_ Board/Committee/Commission for a term to expire in \_\_\_\_\_. (See Attachment A for Boards and Commissions Appointments Report)

**13. NEW BUSINESS**

- A. A resolution, continued from January 13, 2014, affirming a proclamation presented on November 9, 2013 to Joe “Tiger” Patrick II for his efforts to honor Afghanistan and Iraq Fallen Heroes, as follows:

**JOE “TIGER” PATRICK II**

**WHEREAS, JOE “TIGER” PATRICK II**, a Rhode Island Army veteran who served during Operation Desert Storm volunteered at Ground Zero for three (3) weeks after the 9/11 attacks; and

**WHEREAS**, during his time at Ground Zero he developed an affinity for firefighters and in 2011 completed a memorial walk to honor the families and loved ones of those lost, as well as the first responders in the 9/11 attacks; and

**WHEREAS, he** recently completed a walk across the United States to increase awareness of the 6,722 U.S. service member casualties resulting from the war in Afghanistan and Iraq carrying an American flag and an 8-by-25-foot banner that bears the names and photographs of the fallen, and

**WHEREAS, JOE** has been a member of the South Kingstown Elks Lodge #1899 since 1996 and is a lifetime member of the Veterans’ of Foreign Wars (VFW) Post #916, benevolent organizations formed to spread goodwill reflective of Joe’s volunteer work at Ground Zero and memorial walks, in addition to his dedication to the Buddy Poppy sale, and

**WHEREAS**, the Town Council recognizes the selflessness, dedication and strength it takes to undertake such an endeavor as a cross-country walk and applaud **JOE “TIGER” PATRICK’S** efforts to honor Afghanistan and Iraq Fallen Heroes.

**NOW THEREFORE WE THE TOWN COUNCIL OF THE TOWN OF SOUTH KINGSTOWN** proclaim November 9, 2013 as **JOE “TIGER” PATRICK II** day in the Town of South Kingstown.

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- (CA) B.** A resolution authorizing the Town Clerk to advertise for Order of Notice a Public Hearing relative to proposed amendments to the Town Code, Chapter 10 Motor Vehicles and Traffic relative to Succotash Road, as follows:

Chapter 10  
Motor Vehicles and Traffic  
Article II. Stopping, Standing and Parking

Section 10-52. Prohibited at any time.

AMEND:

Succotash Road, no parking, tow zone, both sides of the roadway from its intersection at Tidal Street generally southbound toward the village of Jerusalem to the South Kingstown and Narragansett town line a distance of nine-tenths of a mile. However, parking is allowed on Succotash Road on the west side of the roadway between the Potter Pond Bridge and the northern driveway of the Matunuck Oyster Bar.

- (CA) C.** Any New Business added to the Agenda subsequent to this is hereby added by majority vote, in accordance with RIGL §42-46-6 (b) Notice --... “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”

**14. CLOSED EXECUTIVE SESSION**

- A.** A Closed Executive Session pursuant to RIGL §42-46-5(a)(5) to discuss matters related to the acquisition or lease of real property for public purposes, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public.

**Exhibit 1**

**FY 2014-2015 to FY 2019-2020 Capital Improvement Program**

The Town Manager has prepared the six-year Capital Improvement Program for the period FY 2014-2015 to FY 2019-2020 which includes the following proposed project expenditures:

**I. 2014-2015 Capital Budget**

<b>A. <u>General Fund</u></b>	<b><u>FY2014-2015</u></b>
1 Park Rehabilitation/Improvements	\$110,000
2 Recreation Equipment Acquisition/Replacement	102,000
3 Road Improvement Program	640,000
4 Public Works Equipment Acquisition	211,000
5 Police Computer System Equipment	25,000
6 Police TASER Program	18,000
7 Police Communications Equipment	10,000
8 Public Safety Building - General	20,000
9 Communications Cable	10,000
10 EMS Medical Diagnostics	20,000
11 EMS Vehicle Replacements	85,000
12 Senior Center Improvements	10,000
13 Senior Center Annex Improvements	20,000
14 Town Hall Renovations and Upkeep	5,000
	<b><u>\$1,286,000</u></b>

**B. Water Fund**

1 Mautucket Water Tank Cleaning	\$20,000
2 Victoria Lane Water Tank Cleaning	20,000
3 Water Supply Management Plan Reaffirmation	25,000
4 Water Quality Study/Disinfection Station	80,000
5 Leak Detection Equipment	25,000
6 Public Services Office Building Contribution	10,000
	<b><u>\$180,000</u></b>

**C. Wastewater Fund**

1 WWTF Standby Generator Replacement	\$100,000
2 Kingston Pump Station Generator Replacement	138,500
3 Primary Treatment Upgrade	100,000
4 Aeration Equipment Upgrade	55,000
5 Public Services Office Building Contribution	10,000
	<b><u>\$403,500</u></b>

**Exhibit 1****D. School Fund**

1 High School Computer Labs	\$35,000
2 Elementary Schools Computer Labs	35,000
3 Administrative Computers	15,000
4 Computer Equity/Replacement	115,000
5 Network Hardware	25,000
6 Bleacher Replacement Program	75,000
	<u><u>\$300,000</u></u>

<b>Grand Total</b>	<b><u><u>\$2,169,500</u></u></b>
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**II. Long-Term Capital Projects**

Listed below are the program costs that would be required to complete proposed capital projects during the six-year period FY 2014-2015 through FY 2019-2020:

**Six-Year Long Term Element**

Leisure Services Programs	\$7,197,000
General Municipal Programs	8,165,000
Utilities Programs	2,200,000
School Department Programs	6,533,000
<b>Total</b>	<b><u><u>\$24,095,000</u></u></b>

**III. Fair Share Development Fees (Effective July 1, 2014)****A. Educational Facilities**

Single & Duplex Unit Fee	\$2,162
Multi-Household Units w/ two bedrooms or less	\$1,081
Accessory Apartments & Multi-Household Units w/one bedroom	\$541

**B. Recreational Facilities**

Single Household Fee	\$2,867
Households with two bedrooms or less	\$2,150

**IV. Calculation of In-lieu Fee (Effective July 1, 2014)**

South Kingstown Average Sale Price of Single Family Home	\$295,000
Less the Maximum Purchase Price for Affordable Unit	<u>\$201,000</u>
In-lieu fee requirements (per residential housing unit)	\$94,000



**Boards and Commissions Appointments Report**

The following information reflects the status of those Town boards, commissions and committees which have vacancies, members whose terms are expiring and are eligible for reappointment, and/or applications filed for consideration of appointment. The Town Council may make appointments at any meeting.

**Affordable Housing Collaborative Committee (7 members/3 year term)**

Two vacancies: terms expire August 2016 (John Taylor Ellis and Jean Johnson did not wish to be reappointed)

**Board of Trustees of the South Kingstown Library (7 members/3 year term)**

No vacancies

Applicant: Betty J. Cotter (applied 3/13/2013; interviewed 4/22/2013)

**Conservation Commission (7 members/3 year term)**

One vacancy: term expires September 2016 (Peter A. Duhamel resigned October 2013)

Applicants: Timothy A. Ulmschneider (applied 7/29/2013; interviewed 10/28/2013); Christopher J. O'Connor (applied 11/14/2013; to be interviewed 1/27/2014)

**Economic Development Committee (11 members/3 year term)**

Four vacancies: 2 terms expire March 2014, 2 terms expire March 2016 (Teresa Tanzi resigned December 2010; Deedra Durocher and Robert Kermes resigned December 2011; Dennis Moffitt was not reappointed)

Applicants: Richard J. Jurczak (applied 11/6/2013); Brian P. Smith (applied 11/15/2013); Frances Alexakos (applied 11/20/2013)

**Historic District Commission (7 members/3 year term)**

Three vacancies: terms expire December 2014, December 2015, and December 2016 (William Sheffield deceased June 2013; Eric Creamer resigned January 2012; Lois Hamblet did not wish to be reappointed)

Applicant: Karen M. daSilva (applied 8/6/2013)

**Partnership for Prevention (7 members/3 year term)**

One member vacancy: term expires June 2015; one Ex-Officio Law Enforcement vacancy (Captain Allen resigned); two Ex-Officio student vacancies

**Planning Board (7 members/3 year term)**

One vacancy: term expires May 2014 (Fred Morrison resigned September 2013)

Applicants: Frank H. Heppner (applied 5/10/2013; to be interviewed 1/27/2014); Christopher J. O'Connor (applied 11/14/2013; to be interviewed 1/27/2014)

## **Attachment A**

### **Route 138 Reconstruction Project Area Committee (11 members/2 year term)**

Two vacancies: terms expire May 2015 (Nevan Hanumara and Joseph Paolino did not wish to be reappointed)

### **Trustees of the South Kingstown School Funds (5 members/5 year term)**

Vacancy: one term expires June 2018 (Claire Wilcox moved out of state)

### **Waterfront Advisory Commission (7 members/3 year term)**

Vacancy: one term expires June 2016 (Anne E. Heffron did not wish to be reappointed)

Applicants: Timothy A. Ulmschneider (applied 7/29/2013; interviewed 10/28/2013);

Timothy P. O'Neill (applied 8/2/2013); Richard J. Jurczak (applied 11/6/2013)

### **Zoning Board of Review (5 members, 2 alternate members/3 year term)**

Vacancy: one term expires March 2014 (Ernest George resigned December 2013)

Applicant: Christopher J. O'Connor (applied 11/14/2013; to be interviewed 1/27/2014)

Reappointments for terms expiring March 2014: Igor Runge and Robert Toth wish to be reappointed. It is reported that Mr. Cagnetta has attended 36, Mr. Runge has attended 32 and Mr. Toth has attended 30 of 38 meetings held during the current term.